

APRIL 18, 2002 Meeting Summary
Occupational Safety, Health, and Environmental Compliance Committee
(OSHECCOM)

The meeting was called to order on Thursday, April 18, 2002, at 10:05 AM in the Administrator's Round Room by the Vice Chair, John Carr, President, National Air Traffic Controllers Association (NATCA), who was filling in for the Chair, Bill Peacock, AAT-1. Mr. Carr introduced Bill Ellis, ATX-1, who was representing Mr. Peacock at the meeting, then asked all OSHECCOM Members to introduce themselves. Mr. Carr thanked everyone for participating.

The Vice Chair recognized Louise Maillett, Acting API-1 and the Designated Agency Safety and Health Official (DASHO), who focused attention to the four charts around the room and described the current state of FAA's Occupational Safety and Health (OSH) Program. Copies of the charts were provided in the handout for the FAA FY01 Occupational Safety and Health (OSH) Report presentation and the original charts can be seen in AEE-200, Room 907. The titles of the four charts were:

- (1) Total Cost of FAA Worker Injuries/Illnesses
- (2) Lost Time (Injury/Illness Case Rate)
- (3) Federal Worker 2000 - Goal 1a - *Reduce Overall Case Rate*
- (4) Federal Worker 2000 - Goal 1b - *Timeliness of Reporting*

Ms. Maillett said the results illustrated in these four charts identified opportunities for improvement. Ms. Maillett also stated that FAA is starting to measure its injury costs, and that several offices, as mentioned in the FY01 Annual OSH Report, have been doing a lot of safety activities. However, there is still a need to ensure that FAA OSH actions are coordinated and that they ultimately improve the bottom-line. Ms. Maillett indicated that she is seeing more integration and discussion among the Lines of Business (LOBs) and staff offices, but there is a long way to go. FAA in general, and the LOBs in particular, have to do more to improve the numbers.

The Vice Chair asked if there were any questions. Peggy Gilligan, AVR-2, asked a question concerning the four charts and what year the data represented. Ms. Maillett noted that all but the first chart represent the years shown; chart one's costs contain a two year lag that cannot be changed as that is how the Department of Labor handles agency billing their injury/illness costs.

The Vice Chair then recognized Kevin Conrad, Professional Airways Systems Specialists (PASS) Safety Rep and the PASS OSHECCOM Representative. Mr. Conrad stated that he had a message to bring to the Committee: He indicated that PASS is really discouraged about working with the agency. There are several MOAs in the works, and PASS has been constantly battling with FAA over issues, which PASS believes are required by regulations. Some have been delayed over a year, and some had to go to the Federal Labor Relations Authority (FLRA) for resolution. They want and need good safety programs. Mr. Conrad then introduced Ms. Kathy Carman, Executive Assistant to Mike Fanfalone, PASS President. Ms. Carman stated, "Until FAA demonstrates a commitment to work with PASS, PASS has no interest in participating in this forum." Then Ms. Carman and Mr. Conrad walked out of the meeting.

WORKERS' COMPENSATION

The Vice Chair recognized Cary Leventhal, AHL-100, who made a presentation describing where the FAA's workers' compensation injuries are occurring.

Mr. Leventhal made the following points regarding the nature of injury (NOI) of FAA workers' compensation:

- Of 3,969 FAA cases for which some form of payment was made in FY2002, stress represented 27% of the cases and 41% of the costs. Back injuries were 13% of the cases and 10% of the costs. Orthopedic, the largest single category with 1,588 or 40% of the cases, is a broad category that include strains, carpal tunnel, amputation, contusion, and dislocation. These orthopedic cases represent approximately 28 percent of FAA workers' compensation chargeback costs.
- In looking at frequency of injuries in chargeback year 2001, orthopedic injuries occurred almost one-third more frequently than stress injuries.
- FAA needs to ask questions such as: Why are we having so many stress claims? What can we do from the accident prevention perspective?
- While safety organizations are currently relying on Office of Workers' Compensation Program (OWCP) data, there needs to be a safety data collection system, since OWCP data are not meant nor collected for safety analysis.
- AHL is encouraging a team approach (i.e., among Human Resources personnel, LOB personnel, and safety personnel), especially in the Regions, to reduce the frequency of injuries and their associated costs.

A variety of questions were asked with comments made by Mr. Leventhal and others, including:

- Are there existing problems?
 - There is a problem with a lack of Human Resources staff (in the Regions).
 - A member made a comment that now is a golden opportunity to try to work with the new Transportation Security Administration to get people back to work, possibly those needing light duty or reassignments. Air Traffic requested Human Resources' help in this activity.
- What has come out of the recent meetings between AHR and the LOBs?
 - Mr. Leventhal stated that AHL is now providing monthly and quarterly OWCP chargeback reports to each LOB and staff office.
 - A big part of getting this to work is supervisor training. AHL commented that they have posted both the Supervisor's Guide and a Power Point presentation on their website.
 - AVR commented that they were pleased with the Supervisor's Guide. They also wanted to encourage the monthly data reporting to support OWCP management.
- What is the percentage of old cases over five years old?
 - Approximately 621 (of the 3,969 cases) are more than five years old.
 - Mr. Leventhal added that FAA should focus on preventing injuries. And, since it is much easier to get people back if they have been out a short time, FAA should focus on the newer claims.
- Can you address what the Department of Labor (DOL) is planning which will be coming FAA's way?
 - There is currently a DOL proposed rulemaking at the Office of Management and Budget, which proposes the establishment of a DOL surcharge based on the number of workers' compensation claims. The goal of the proposed rulemaking is to encourage agencies to reduce the number of workers' compensation cases.
- Is the proposed surcharge for both old and new cases?
 - It is believed to be prospective (i.e., on new cases).
- In regards to access to the OWCP data, can it be available on the web?
 - Mr. Leventhal's response was, "No, because of the Privacy Act. Only OWCP Points of Contact can receive the data."

- AAT also commented that a Safety Manager (i.e., ROSHMs and HQ OSH POCs) would be able to see information at all their facilities; at the Regional level, all regional safety points of contact would see region-wide data.
- When will OWCP POCs start receiving the monthly OWCP reports?
 - From this point on, POCs will start getting monthly OWCP reports, with the March reports included with the next reports that are sent out.

6/5/02 update on AGC Memo from Mr. Leventhal: By memo dated April 26, 2002, the FAA Office of General Counsel (AGC), General Law Branch, set out the standard for allowing access to the DOT Workers' Compensation Information System (WCIS) and the Department of Labor Agency Query System (AQS).

In summary, this memo spelled out that the information contained in these systems falls under the Privacy Act (5 U.S.C. 552a). As such, Privacy Act information must be protected from disclosure in the absence of the individual's consent to disclose. The only potential exception to this rule in the case of WCIS and AQS is a "need to know." This standard is determined on a case-by-case basis, and any such need to know exception does not authorize a blanket disclosure of records but rather is limited to those records that are truly needed. AGC concurred that the LOBs have not demonstrated a need for full and unfettered access to either the WCIS or AQS databases.

The memo further spelled out that specific requests for access may be made to AHL-100, which serves as the custodian of WCIS and AQS. Any such requests are to follow the listed "best practices," which are further explained in the AGC memo.

Copies of this memo are on file in AHL-100, and available for review and discussion. For further information, please contact Mr. Leventhal at (202) 267-9020.

FAA FY01 OCCUPATIONAL SAFETY AND HEALTH REPORT

The Vice Chair recognized Nancy McWilliams, AEE-200 and the OSHECCOM Coordinator, who made a presentation entitled "FAA Annual OSH Report: Blueprint for the Future."

Ms. McWilliams made the following points:

- FAA had 1,816 new injury and illness cases in FY01. There are also 1,747 continuing cases.
- AEE will be distributing a template to the LOBs/Staff Offices for the FY02 Annual OSH Report by the end of June.
- The FY02 Annual OSH Report will be expanded slightly as each LOB/Staff office will be asked to establish long-term OSH goals. Future Annual OSH Reports will compare the LOB/Staff office progress towards their achieving their long-term goals.
- The statistical reports that LOBs/Staff Offices will need for their Annual OSH Report will be built into the Safety Management Information System (SMIS).
- OSH priorities for FY02 were described: (1) reducing injuries and illnesses and their corresponding costs; and (2) Order 3900.19B will be revised to require all LOBs to budget for and implement risk management strategies for managing OSH programs for their employees.

Ms. Maillet asked a question for the LOBs/Staff offices to think about -- Do the LOBs/Staff offices have the right information to set OSH goals?

The Vice Chair encouraged members to share the FY01 Annual OSH Report with their staff.

Ms. McWilliams noted that the two POC meetings held between this OSHECCOM meeting and the October 2001 OSHECCOM meeting were successful. As such, AEE plans to have POC meetings on a routine basis--approximately one month after each OSHECCOM meeting and approximately

one month before an OSHECCOM meeting. These meetings are designed to gauge the progress in setting and meeting OSH and OWCP goals.

STATUS OF ACTION ITEMS

Next, the Vice Chair introduced Tom Holloway, AEE-200, who described the status of action items from the October 2001 OSHECCOM meeting, much of which dealt with the SMIS system. A detailed matrix is attached that includes the status of each item. A portion of Action Item 3 is the only item outstanding.

Items of importance include:

- A SMIS User Group had been started. The User Group is designed to include members from all FAA LOBs/Staff offices.
- Regarding Action Item number 3, the issue of accessibility to OWCP data for LOB OWCP POCs, AHL received a response from AGC. Human Resources will call a meeting of the OWCP POCs after they receive the final memo.

Mary Wingard, AAT-ATX, commented that ATS has worked extensively with AEE on the SMIS system. Ms. Wingard stated that it was important for all other LOBs/Staff offices to participate in the SMIS User Group over the next few months to insure that each LOB/Staff office issues are recognized and addressed.

Mr. Holloway turned the meeting back to Mr. Carr.

The Vice Chair noted that no new issues were submitted. The Vice Chair then recognized Mary Wingard who spoke at the request of Wally Pike, National Association of Air Traffic Specialists (NAATS). NAATS is concerned about ergonomics-related injuries to employees and asked if any analysis has been done specifically for ergonomics. Ms. Wingard responded that no in depth ergonomics-related analysis has been conducted. SMIS, when fully functional, will enable the agency to conduct detailed analyses of injuries and illnesses that will identify ergonomic trends.

Next Scheduled OSHECCOM Meeting--**Thursday, October 10, 2002, 10:00 – 12:00, Administrator's Round Room, 10th Floor, FOB 10A.** (Note the **new** meeting date.)

The Chair adjourned the meeting at 11:35 PM.

Attendance

John Carr, NATCA-1, OSEHCCOM Vice Chair
Bill Ellis, ATX-1, (representing Bill Peacock, AAT-1, OSHECCOM Chair)
Louise Maillet, Acting API-1, DASHO
Carl McCullough, API-2
Carl Burleson, AEE-1
Melvin Harris, AHL-1
Cary Leventhal, AHL-100
Mark B. Wilson, NAGE
Kevin Conrad, PASS National Safety Rep.
Kathy Carman, Executive Assistant to Mike Fanfalone, PASS President
Steve Rothschild, AFZ-1
Charles Bradgon, AFZ-800
Tom Holloway, AEE-200
Lita N. Arnold, AEE-200
Michael Thomas, AEE-200
Vicki Hershiser, AEE-200, API OSH POC
Nancy McWilliams, AEE-200
Siony Hill, API-19, OWCP POC
Frank Lanzetta, AEE-200
Mary Wingard, ATX-500
Sampath Krishnan, Lib-SMO, AEA
Jean Hetsko, ARP-10, OWCP POC
Bessie Waiters, ARP-10, OSH POC
Veronica Calvert, ARC-10
Suzanne Holloway, ADA-10, OWCP POC
Tom Carroll, ATX-200, OWCP POC
Peggy Gilligan, AVR-2
Jean Watson, AVR OSH POC
Barry Molar, APP-500
Deborah Wilson, ASU-2
Velma Cooper, ASY-10, OSH POC
Douglas Plummer, ASU-430, OSH POC
Stephen Ryan, ANI
Marco Fraina, ANI-30
Jonathan Stutzman, (NISC, ANI-30)
Ruth Ellen Schelhaus, NISC

**STATUS OF ACTION ITEMS
FROM THE OCTOBER 18, 2001 OSHECCOM MEETING**

No.	FINAL AGREED TO ACTION ITEMS*	WHO IS RESPONSIBLE	ACTIONS TAKEN
1	<p>OSHECCOM Members will brief their LOB managers on the workers' compensation statistics.</p> <p>AEE will meet with AHR to discuss data access.</p> <p>AEE will meet with POCs in February and establish a due date for the briefings.</p>	OSHECCOM Members	This Action Item is completed.
2	<p>Ensure that your LOB's OSH and OWCP Points of Contact (POC) meet together.</p> <p>The POCs were to:</p> <ul style="list-style-type: none"> Identify LOB workers' compensation costs Begin to develop and implement strategies to focus LOB safety activities on prevention of mishaps and reversal of workers' compensation trends. 	<p>OSHECCOM Members</p> <p>OWCP Point of Contact</p> <p>OSH Point of Contact</p>	This Action Item is completed.
3	<p>Direct Supervisors and other managers, as well as OSH and OWCP POCs, to familiarize themselves with the new Supervisor's Guide to Workers' Compensation and in the use of SMIS. This action was approved with a new due date of 3/15/02.</p> <p>An IOU was taken by AEE-200 to resolve the following SMIS issues:</p> <ul style="list-style-type: none"> Is the training adequate to meet the needs of the users? AEE will provide an electronic copy of the SMIS handout. How do OWCP POCs access the WCIS data? 	OSHECCOM Members	<p>The first part of this Action Item is completed.</p> <p>The first bullet on the left, the IOU taken by AEE-200 to resolve SMIS issues, is in process and will be completed by 9/30/02.</p> <p>The second bullet has been completed.</p> <p>The third bullet, regarding OWCP POC access to WCIS data remains open. HR received a memo dated 4/26/02 from AGC-110, General Law Branch, addressing this issue. A synopsis of the memo is contained in the minutes under the Workers' Compensation heading.</p>

* Action items one through eight reflect the changes that were agreed to by consensus at the October 2001 OSHECCOM.

**STATUS OF ACTION ITEMS
FROM THE OCTOBER 18, 2001 OSHECCOM MEETING**

No.	FINAL AGREED TO ACTION ITEMS*	WHO IS RESPONSIBLE	ACTIONS TAKEN
4	<p>Ensure that, if a safety incident occurs, the LOB managers input the safety incident data into SMIS.</p> <p>This action was withdrawn for this meeting. It is related to action #3 and it was agreed that there must first be a good mechanism to obtain the data before Supervisors begin inputting the data.</p> <p>An IOU was taken by AEE-200 to meet with the LOBs to resolve issues with SMIS input and output.</p>	OSHECCOM Members	The March 12-13 SMIS workshop resulted in agreement on changes to the mishap data input form. A subsequent workshop on April 2 formalized agreement on output specifications, priorities, and costs.
5	<p>Ensure that the OSH and OWCP POCs submit the LOB's Annual OSH Report by 11/15/01 to AEE-200.</p> <p>In support of the action item, Louise Maillett, DASHO told the LOBs that if they can't get the OWCP information from HR that they need to complete their LOB OSH Annual Report to let her know whom in HR they asked.</p>	OSHECCOM Members OWCP POC OSH POC	Seven LOBs and Staff Offices submitted their Annual OSH reports to AEE-200: ABA, AGC, API, APR, ASY, ATS, and AVR.
6	OSHECCOM Members are being asked to report back to the OSHECCOM Coordinator on the status of these action items by 3/15/02.	OSHECCOM Members	ABA, APA, and ATS have reported back.
7	<p>Create a Task Force to develop a Disaster Preparedness Plan.</p> <p>This action was withdrawn as an OSHECCOM action. AEE-200 advised that it would work with AAM, ACS, ADA, AEE, and ASU and not create a task force with the OSHECCOM.</p>	OSHECCOM Members	AEE-200 is currently chairing a Radiological Emergency Planning Team comprised of AAM, ACS, ADA, AEE, AFZ-800, and ASU that is developing an FAA Radiological Emergency Plan and procedures for sheltering in place.
8	<p>Distribute Employee Emergency Procedures to your employees by 11/1/01 or sooner.</p> <p>This action was withdrawn as an OSHECCOM action. AEE-200 advised that it would continue working with AHR, ACS, ASU, ADA, and AAM to distribute this document.</p>	OSHECCOM Members	<p><i>Employee Emergency Procedures was re-named Employee Response to Emergencies, signed off by AEE, AHR, ACS, ASU, ADA, and AAM, and posted on AHR's website 11/20/01 at:</i></p> <p>http://www.faa.gov/ahr/response/index.cfm.</p> <p>The next segment of the Employee Response to Emergencies will be "What do I do if there is a radiological emergency" and "What do I do if I am told to shelter in place."</p>

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